

1 BRIAN M. BOYTON
Principal Deputy Assistant Attorney General
2 ALEXANDER K. HAAS
Director, Federal Programs Branch
3 TERRY M. HENRY
Assistant Branch Director
4 ANDREW E. CARMICHAEL
MICHAEL J. GERARDI
Senior Trial Counsel
5 ANDREW J. RISING
Civil Division, Federal Programs Branch
6 U.S. Department of Justice
7 1100 L St., N.W.
8 Washington, D.C. 20005
9 Telephone: (202) 514-0265
10 E-mail: andrew.j.rising@usdoj.gov

11 *Counsel for Defendants*

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**

14 VIKRAM VALAME,

15 Plaintiff,

16 v.

17 JOSEPH R. BIDEN, President of the United
18 States, *et. al.*,

19 Defendants.
20

CASE NO. 5:23-cv-3018 NC

**STIPULATED REQUEST BY
DEFENDANTS FOR EXTENSION OF
TIME TO FILE REPLY BRIEF AND
[PROPOSED] ORDER**

21
22 Pursuant to Local Rules 6-2 and 7-12, Plaintiff and Defendants in the above-captioned
23 cases jointly request an extension of time for Defendants to file their reply brief from October 27,
24 2023, to November 8, 2023. In support of the stipulation, the parties state as follows:

- 25 1. Plaintiff filed the operative complaint in this case on June 20, 2023. Upon filing
26 the complaint, the Court ordered the parties to submit a Case Management
27 Statement on September 13, 2023, and scheduled a Case Management Conference
28 for September 20, 2023. ECF No. 2.

2. On September 7, 2023, the parties entered a stipulation to stay Defendants' deadline to answer or otherwise respond to the complaint, and to set a briefing schedule for dispositive cross-motions as to Plaintiff's official capacity claims. ECF Nos. 28, 29.
3. Pursuant to that schedule, Plaintiff filed a motion for summary judgment on September 15, 2023, ECF No. 30; Defendants opposed that motion and filed a cross-motion to dismiss, or, in the alternative, for summary judgment on September 29, 2023, ECF No. 38; and Plaintiff filed a combined opposition to Defendants' motion and reply in support of his motion on October 13, 2023, ECF No. 39.
4. Due to a confluence of personal and professional considerations, Defendants require additional time to prepare and file their reply brief in support of their cross-motion. Mr. Gerardi is beginning parental leave on October 23, 2023; Mr. Carmichael unexpectedly had Navy Reserve duty moved from the week of October 11th to the week of October 23rd and accordingly will be unavailable for much of Defendants' currently scheduled briefing period; and Mr. Rising had an unexpected, time-sensitive briefing deadline arise in another matter.
5. The brief extension to November 8, 2023 would allow Defendants to accommodate these personal conflicts and ensure adequate time for consultation with supervisory officials at the Selective Service System and the Department of Justice, without unduly delaying consideration of the issues before the Court.
6. Defendants conferred with Plaintiff, via e-mail, on October 17, 2023, and reached agreement regarding the proposed extension.
7. Pursuant to Local Rule 6-2(a), undersigned counsel for Defendants has submitted a declaration in support of this stipulation.

A proposed order is attached.

DATE: October 18, 2023

/s/Vikram Valame

Vikram Valame

4039 2nd St.

Palo Alto, CA 94306

vik.valame@gmail.com

Respectfully submitted,

BRIAN M. BOYTON

Principal Deputy Assistant Attorney
General

ALEXANDER K. HAAS

Director, Federal Programs Branch

TERRY M. HENRY

Assistant Branch Director

/s/Andrew J. Rising

MICHAEL J. GERARDI

ANDREW E. CARMICHAEL

Senior Trial Counsel

ANDREW J. RISING

Trial Attorney

Civil Division, Federal Programs Branch

U.S. Department of Justice

1100 L St., N.W.

Washington, D.C. 20005

Telephone: (202) 514-0265

E-mail: andrew.j.rising@usdoj.gov

Counsel for Defendants

DECLARATION

I declare, under penalty of perjury, that the factual assertions contained in this stipulation are true and correct to the best of my knowledge.

/s/Andrew J. Rising
Andrew J. Rising
Trial Attorney

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